

To the Honorable Council City of Norfolk, Virginia

January 12, 2016

From:

James Redick, Director - Emergency

Subject: Ordinance to accept FEMA

Hazard Mitigation Grant Funding

Reviewed:

Wyrter C. Benda, Deputy City Manager

Ward/Superward: Citywide

Approved:

Preparedness and Response

Item Number:

R-16

Marcus D. Jones, City Manager

Recommendation: Adopt Ordinance I.

Applicant: City of Norfolk – Department of Emergency Preparedness & Response 11.

Description: III.

This agenda item is an ordinance to accept grant funds in the amount of \$137,327 from the Federal Emergency Management Agency ("FEMA") via the Virginia Department of Emergency Management ("VDEM") for the elevation of four residential properties that are prone to flooding. These funds will be added to a previously accepted grant which will help cover the total cost of the project to elevate all four properties.

Analysis IV.

FEMA's Hazard Mitigation Assistance ("HMA") program provides funding for eligible mitigation activities that reduce disaster losses and protect life and property from future disaster damages.

Financial Impact V.

These additional grant funds will be added to a previously accepted grant, which will bring the budget to \$697,000, to help cover the total cost of the project to elevate all four properties. The cost share remains the same. The revised project budget will now be \$697,000 – federal share is \$522,750, state share is \$139,400 and the local share is \$34,850.

Environmental VI.

N/A

VII. Community Outreach/Notification

Public notification for this agenda item will be conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

N/A

IX. Coordination/Outreach

This letter has been coordinated with the City Attorney's Office and the Department of Finance.

Supporting Material from the Department of Emergency Preparedness and Response:

- Ordinance
- Award Letter from the Virginia Department of Emergency Management

12/9/15 - bjl

Form and Correctness Approved

Office of the City Attorney

Contents Approved:

DEPT. Emergency Preparedness and Management

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

\$ 137,327.00

2275-74-8889

Account

NORFOLK, VIRGINIA

Date

ORDINANCE No.

AN ORDINANCE ACCEPTING AN ADDITIONAL GRANT AWARD IN THE AMOUNT OF \$137,327.00 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY THROUGH THE HAZARD MITIGATION GRANT PROGRAM WHICH INCLUDES \$27,465.40 FROM THE COMMONWEALTH OF VIRGINIA AND \$6,866.35 AS A CASH MATCH FROM THE THROUGH OWNERS PROPERTY THE FOR THE CITY OF MITIGATION GRANT PROGRAM RESIDENTIAL NORFOLK ELEVATION OF FOUR (4)APPROPRIATING AND PROJECT STRUCTURES AUTHORIZING THE EXPENDITURE OF THE FUNDS FOR THE PROJECT.

WHEREAS, by Ordinance No. 45,353, adopted and effective as of November 26, 2013, the City accepted grant award funds in the amount of \$559,673.00 from the Virginia Department of Emergency Management, which award included funds from the Federal Emergency Management Agency (FEMA) through the Hazard Mitigation Grant Program for the City's Elevation of four (4) Residential Structures Project; and

WHEREAS, FEMA has awarded the City \$137,327.00 in additional hazard mitigation grant funds for the Project; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That an additional grant award in the amount of \$137,325.00 from the Federal Emergency Management Agency (FEMA) through the Hazard Mitigation Grant Program for the City's Elevation of four (4) Residential Structures Project is hereby accepted.

Section 2:- That the \$137,325.00 grant award is hereby appropriated and authorized for expenditure through the Hazard Mitigation Grant Program which includes \$27,465.40 from the Commonwealth of Virginia and \$6,866.35 as a cash match from the property owners for the City's Elevation of four (4) Residential Structures Project, if and when the funds are made available from FEMA.

Section 3:- That the City Manager is authorized to administer the Project and to execute all agreements necessary to complete the Project.

Section 4:- That this ordinance shall be in effect from and after its adoption.

U.S. Department of Homeland Security Region III One Independence Mall, 6th Floor 615 Chestnut Street Philadolphia, PA 19106-4404



Mr. Jeffrey D. Stern
State Coordinator
Virginia Department of Emergency Management
10501 Trade Court
North Chesterfield, Virginia 23236-3713

OCT 2 3 2015

Re: FEMA-DR-4024-VA-020
Budget Revision Approval
Hazard Mitigation Grant Program (HMGP)

Dear Mr. Stern:

We have reviewed and approve your request for a budget revision for the <u>City of Norfolk</u> Elevation Project, FEMA-DR-4024-VA-020.

As requested, we have allocated an additional \$102,995 federal funds to this project made available under the FBMA Uncommitted Funds Pilot Program. The revised project budget is \$697,000, with a federal share of \$522,750 and a non-federal share of \$174,250. Enclosed please find a copy of the Obligation and Project Management reports for your records.

The Period of Performance end date for this project remains September 30, 2016. Please continue to provide this office with a quarterly report thirty (30) days after the end of each federal fiscal quarter. The state has ninety (90) days from that date to liquidate all funds and submit all required closeout documents.

If you have any questions, contact John Schmierer, Project Officer, at (215) 931-5547.

Sincerely,

Eugene K. Gruber, P.E. Director, Mitigation Division

Enclosures

cc: Michael Nelson, Director, Mitigation and Recovery Division Matthew Wall, State Hazard Mitigation Officer Debbie Messmer, Project Coordinator Janice Barlow, Director, Grants Division 10/20/2015

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANTS PROGRAM

HMGP-OB-02

13:13

Obligation Report w/ Signatures

No 4024	FEMA Project No 20-R	Amendment No	State Application ID	Action No	Supplemental No 27	State	Grantee Statewide
	lee: Norfolk ee FIPS Code	e; 710-57000			Project Title : C	ity of N	Norfolk Elevation of 4 Residential Structures
						•	
	07 VO 4						w

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Availab for New Obligation	le		
\$522,750	\$522,760	\$0	\$0			
Project Amount	Grantee Admin Est	Subgrantee Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$102,995	\$0	so	\$102,995	10/20/2015	Accept	2016

Comments

Date:

10/16/2015

User Id: JSCHMIER

Comment: MA requests obligation of funds for project cost over-run under the Uncommitted Funds Pilot

Date:

10/20/2015

User Id: CNEWMAN2

Comment: HMO Approves

Authorization

Preparer Name: JOHN SCHMIERER

HMO Authorization Name: CRYSTAL NEWMAN

Preparation Date: 10/16/2015

HMO Authorization Date: 10/20/2015

Authorizing Official Signature

Authorizing Official Title

Authorizing Official Title

Authorization Date

10/20/2015 1:12 PM

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM

Project Management Report

Disaster Number FEMA Project Number

Amendment Number

State

VA

Grantee

4024

20-R

App ID

21

Statewide

Subgrantee: Norfolk FIPS Code: 710-57000

Project Title: City of Norfolk Elevation of 4 Residential Structures

Mitigation Project Description

Amendment Status : Approved

Approval Status: Approved

Project Title: City of Norfolk Elevation of 4 Residential Structures

Grantee: Statewide

Subgrantoe: Norfolk

Grantee County Name: Norfolk (city)

Subgrantee County Name: Norfolk (city)

Grantee County Code: 710

Subgrantee County Code: 710

Grantee Place Name: Norfolk

Subgrantee Place Name: Norfolk

Grantee Place Code: 0

Subgrantee Place Code: 57000

Project Closeout Date: 00/00/0000

Work Schedule Status

Work Schedule Status		Due Date Revised Date Completion Date
Amend # Description	Time Frame	00/00/0000 00/00/0000 00/00/0000
0 Grant Award and Agreement	30 days	Conditional
1 Grant Award and Agreement	30 days	00/00/0000 00/00/0000
1 Meet with Homeowners	60 days	UU/UU/UU/UU UU/UU
10 Meet with Homeowners	160 days	- CONTROL CONT
10 Perform Survey/Engineering Designs	90 days	00/00/0000 } 00/00/0000
1 Perform Survey/Engineering Designs	90 days	00/00/0000 00/00/0000 00/00/0000
H=	60 days	00/00/0000 00/00/0000 00/00/0000
	60 days	00/00/0000 00/00/0000 00/00/0000
1) Prepare Bld Documents	30 days	. 00/00/0000 00/00/0000 00/00/0000
1 NDEM/FEMA Review of Designs	30 days	00/00/0000 00/00/0000 00/00/0000
O NDEWFEMA Review of Dealgns	30 days	00/00/0000 00/00/0000 00/00/0000
10 Advertise Elevation		00/00/0000 00/00/0000 00/00/0000
1 Advertise Elevation	30 days	00/00/0000 00/00/0000 00/00/0000
0 Award Contract	30 days	00/00/0000 00/00/0000 00/00/0000
1 Award Contract	30 days	00/00/0000 00/00/0000 00/00/0000
10 Notice to Proceed	30 days	- Comprison
'1 Notice to Proceed	30 days	00/00/0000 00/00/0000
10 Elevation of 4 Homes	180 days	00/00/000 00/00/00
1 Elevation of 4 Homes	1180 days	00/00/0000 00/00/0000
O Closeout, inspections, and Paperwork	90 days	00/00/0000
11 Closeout, Inspections, and Paperwork	90 days	00/00/0000 00/00/0000 00/00/0000
	25 Months	09/30/2015 00/00/0000 00/00/0000
1 Total	25 Months	09/30/2015 00/00/0000 00/00/0000
(O Lotal	1,	

Approved Amounts

Total Approved	Federal Share Percent	Total Approved Federal Share Amount	Share Percent	Non-Fed Share Amount	
Net Eligible	75.000000000	\$522,750	25.00000000	\$174,250	

10/20/2015 1:12 PM

FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM

HMGP-AP-01

Project Management Report

Disaste	ır
Numbe	r
4024	

FEMA Project Number Amendment Number 1

App ID

21

State Grantee

4024 20-R Subgrantee: Norfolk

FIPS Code: 710-57000

Project Title : City of Norfolk Elevation of 4 Residential Structures

Statewide

Allocation	is									
Allocation Number			Submission Date	ĖΥ	ES Support Reg ID	ES Amend Number	Proj Alloc Amount Fed Share	Grantee Admin Amount	Subgrantee Admin Amount	Total Alloc Amount
8	À	08/07/2013	08/02/2013	2013	2301904	7	\$419,755	\$0	\$0,	\$419,755
20	A	10/16/2015	10/15/2015	2016	2543985	0	\$102,995	\$0	\$0	\$102,095
			•			Tota)	\$522,750	so:	\$q'	\$522,750

	gal	

	IFMIS Status		Submission Date	FY	ES Support Req ID	ES Amend Number	Suppl Nr	Project Obligated Amt - Fed Share	Grantee Admin Amount	Subgrantee Admin Amount	Total Obligated Amount
1	A	08/08/2013	08/08/2013	2013	2396286	15	15	\$419,765	\$0,	\$0	\$419,765
2	A	10/20/2015	10/20/2015	2016	2544870	27	27	\$102,995	\$0	\$0	\$102,995
							Total	\$522,750	\$0	\$0	\$522,750



COMMONWEALTH of VIRGINIA

Department of Emergency Management

10501 Trade Court Richmond, Virginia 23236-3713

(804) 897-6500 (TDD) 674-2417 FAX (804) 897-6506

MICHAEL M. CLINE State Coordinator

JACK E, KING Chief Deputy Coordinator

BRETT A. BURDICK Deputy Coordinator

Hazard Mitigation Grant Program **Grant Agreement** HMGP-4024-710-020

This Agreement is made as of this 21st day of August, 2013 by and between the Virginia Department of Emergency Management, hereinafter called "VDEM," and City of Norfolk herein after called the "Subgrantee."

The parties to this Agreement, in consideration of the mutual covenants and stipulations set out herein, agree as follows:

GENERAL PROVISIONS:

This Agreement is a sub-grant award of federal funds from VDEM to the sub-grantee. VDEM has received a grant from the Department of Homeland Security Federal Emergency Management Agency Hazard Mitigation Grant Program, Catalog of Federal Domestic Assistance Number 97.039. The sub-grantee shall implement the project as set forth in the grant Agreement documents. These documents consist of:

- (1) Executed Grant Agreement;
- (2) Scope of Work, Attachment A;
- (3) Project Budget, Attachment B;
- (4) Milestone Table, Attachment C; and
- (5) Grant Assistance Agreements and VDEM-FEMA General Terms and Conditions and Assurances; Attachment D.

State agencies acting as the sub-grantee shall report all federal funds received as part of this Agreement as federal pass-thru funds on their agency's Schedule of Federal Assistance.

Nothing in this Agreement shall be construed as authority for either party to make commitments, which will bind the other party beyond the Scope of Work contained herein. Furthermore, the sub-grantee shall assign, sublet, or subcontract any work related to this Agreement or any interest it may have herein with full compliance with federal and state procurement regulations. The schedule of service set forth in the Scope of Work and Milestone Table shall be deemed to have been consented to, as required by the preceding sentence, upon the execution of this Agreement by VDBM.

(2) SCOPE OF WORK:

The sub-grantee shall provide the service to VDEM set forth and summarized in the Scope of Work (Attachment A) and Milestone Table (Attachment C). All deliverables shall conform to accepted standards and practices. If there is any change in the original scope of work, a formal request must be made to VDEM for review and approval prior to implementing the change. These attachments are consistent with the original VDEM-FEMA (Federal Emergency Management Agency) grant project application. The sub-grantee shall provide VDEM with quarterly reports and a final report on the progress of work set forth in the Scope of Work. The quarterly reports and final report shall contain the following components: (1) a narrative describing in detail the progress of the sub-grantee in fulfilling the provisions of the Scope of Work; (2) Reimbursement Requests as needed that itemize the expenses incurred by the sub-grantee, including separate columns for the federal, state, and the sub-grantee's matching contribution to the total—cost of services as reflected in the Project Budget-Attachment B; and (3) the schedule of specific project tasks with target completion dates and actual completion dates (Milestone Table — Attachment C). The first quarterly report is due to VDEM at the end of the first complete quarter following the award of the grant.

Reporting Period

January 1 — March 31

April 1 — June 30

July 1 — September 30

October 1 — December 31

Report Due to VDEM no later than April 15 no later than July 15 no later than October 15 no later than January 15

(3) TIME OF PERFORMANCE:

The services of the sub-grantee shall begin on the date of sub-grantee's signature of this document and terminate on 9-30-2015 unless otherwise altered through provisions of this Agreement or extended by written authorization of VDEM. Requests for time of performance extension must be received in writing by VDEM within 75 days of termination date with reasons for requested time of performance extension and a revised Milestone Table — Attachment C. All time limits stated are of essence of this Agreement. All funds must be obligated no later than the project completion date. The final request for reimbursement must be received no later than 60 days after the completion date for the project.

(4) COMPENSATION:

The total grant award from VDEM is \$559,673 provided through the Hazard Mitigation Grant Program, Disaster 4024, Hurricane Irene. FEMA shall provide funds for the project identified in the Scope of Work (Attachment A) totaling \$419,755. VDEM shall provide funds for the project identified in the Scope of Work (Attachment A) totaling \$111,934. The sub-grantee agrees to provide a match in the amount of \$27,984. The sub-grantee is aware of and shall comply with cost-sharing requirements of federal and state mitigation grant assistance; specifically that federal assistance is limited to 75% of eligible expenditures, state assistance (as reimbursed through the Virginia Department of Emergency Management) is limited to 20% of eligible costs, and the sub-grantee shall provide from the sub-grantee's funds 5% of eligible costs. The non-federal funds must be from a non-federal funding source and can be completely fulfilled by inkind services as long as financial records document them as such.

VDEM shall release the grant award to the sub-grantee on a cost-reimbursement basis upon receipt and approval of the sub-grantee's quarterly and final reports and deliverables as required by this Agreement or at other times agreed to by VDEM. Any cost overruns incurred by the sub-grantee during the time of performance shall be the responsibility of the sub-grantee. The sub-grantee shall spend the funds according to the specified categories of the contract budget. The sub-grantee shall use mitigation grant funds solely for the purposes for which these funds are provided and as approved by FEMA and VDEM. General policies for determining allowable costs are established in 44 Code of Federal Regulations (CFR), Part 13.22 (included in Attachment D) and the appropriate OMB circulars that identify cost principles for different kinds of organizations. Minor shifts of the funds among categories by the sub-grantee, not to

exceed 10% of any budget line item are permissible, but in no case can the total expenditures exceed the amount provided by this contract. Shifts in funds exceeding 10% among budget line items must be approved in writing by VDEM.

(5) ASSISTANCE:

VDEM agrees upon request of the sub-grantee to furnish, or otherwise make available to the sub-grantee, copies of existing non-proprietary materials in the possession of VDEM that are reasonably related to the subject matter of this Agreement and are necessary to the sub-grantee for completion of its performance under this Agreement. VDEM Recovery and Mitigation Division staff will provide technical support to the sub-grantee and make periodic site visits to monitor progress.

(6) ACKNOWLEDGEMENTS:

The role of the Virginia Department of Emergency Management (VDEM) and the Federal Emergency Management Agency (FEMA) must be clearly stated in all press releases, news articles, requests for proposals, bid solicitations, and other documents describing this project, whether funded in whole or part.

Acknowledgement of financial assistance, with VDBM and FEMA logos, must be printed on all reports, studies, web sites, and other products (including map products) supported, in whole or in part, by this award or any sub-award. The sub-grantee is responsible for contacting VDEM staff in adequate time to obtain the logo in camera-ready or digital form. The final draft must be approved by VDEM staff prior to production. The acknowledgement should read as follows:

This report was funded by the Federal Emergency Management Agency through the Virginia Department of Emergency Management via grant Agreement number HMGP-4024-710-020 for \$559,673.

(7) CREATION OF INTELLECTUAL PROPERTY:

To the extent that the copyright to any copyrightable material created pursuant to this Agreement is owned by the sub-grantee and/or the sub-grantee is empowered to license its use, VDEM agrees to grant to the sub-grantee, and hereby does grant to the sub-grantee, a license to use the materials so owned for public, not-for-profit purpose within the territory of the Commonwealth and shall execute and deliver such further documents as the Commonwealth may reasonably request for the purpose of acknowledging or implementing such license.

A copyright notice shall be placed in an appropriate location on any copyrightable material being distributed or published. Such notice shall include (1) either the symbol "©", the word "Copyright", or the abbreviation "Copy."; (2) the year of first publication; and (3) the name of the copyright owner (the Commonwealth of Virginia). This information shall be followed by the words, "all rights reserved."

- (8) STRUCTURAL MITIGATION REQUIREMENTS:
 Specific requirements must be adhered to for structural mitigation projects such as structural relocation, property acquisition and demolition, and structural retrofitting or improvement as detailed in Attachment D. These requirements can include deed restrictions, operation and maintenance plans, and insurance requirements, as dictated by the specific grant and project requirements.
- (9) BREACH AND TERMINATION:
 In the event of breach by the sub-grantee of this Agreement, VDEM shall provide written notice to the sub-grantee specifying the manner in which the Agreement has been breached. If a notice of breach is given and the sub-grantee has not substantially corrected the breach within 60 days of receipt of the written notice, VDEM shall have the right to terminate the Agreement. The sub-grantee shall be paid for no service rendered or expense incurred after receipt of the notice of termination, except such fees and expenses incurred prior to the effective date of termination that are necessary for curtailment of its work

under the Agreement. Termination of this Agreement can occur as an effect of one of two results: First, as a result of the proper completion and closeout of this project. Second, termination may occur as a result of Termination for Convenience or other termination as allowed or required by 44 CFR for projects, which cannot be completed as described in the FEMA-approved grant project application and the Scope of Work - Attachment, herein. Communication of this decision and information related to the project termination will be provided to the sub-grantee in coordination with FEMA through registered mail.

IN WITNESS THEREOF the parties have caused this Agreement to be executed by the following duly authorized officials:

Sub-grantee:

Grantor:

Virginia Department of Emergency Management

By:

Date:

Authorized Sub-grantee Signatory

By:

Date:

State Coordinating Officer

Attachment A HMGP-4024-710-020 Project Scope of Work

Project Sponsor: City of Norfolk

Project Title: Elevation of 4 Residential Structures

Project Description from VDEM-FEMA HMGP application:

This project offers the most efficient and cost effective plan for elevating the vulnerable dwelling from the floodplain entirely. The elevation will significantly reduce future flood claims. The structure will be elevated I foot above the 100-year flood elevation. Consequently, the future flooding will be reduced, thus mitigating further damage and future flood claims. Many of the associated health issues, risks and long-term hazards could be significantly reduced by elevating the home. In addition, the damage from hazardous materials leaking into the ground and the Chesapeake Bay will be substantially reduced.

Properties included in this project:

- 1210 Richmond Crescent, Norfolk, VA 23508 (Donna Woodward Owner)
- 1503 Lea View Avenue, Norfolk, VA 23503 (Deborah and Dennis Marston Owners)
- 9538 16th Bay Street, Norfolk, VA 23518 (Ryan Sniegoski Owner)
- 9635 10th View Street, Norfolk, VA 23503 (Robert and Carole Parsons Owners)

Attachment B HMGP-4024-710-020

Project Awarded Budget-Funding Source HMGP:

Federal Project Funds - HMGP	\$ 419,755
State Match	\$ 111,934
Local Match	\$ 27,984
Total Project Costs	\$ 559,673.

Project Budget from VDEM-FEMA HMGP application:

ACTIVITY	NUMBER	COST	TOTAL COST
Engineering/Designs	1	10,000 per unit	\$40,000
Legal/Documents	. 5	2,000 per unit	\$2,000
Elevation of 4 Homes	I	\$187,650 per unit	\$187,650
Construct New Building Foundations (4)	1	\$200,450	\$200,450
Other*	j. 1	\$54,850	\$54,850
Project Management	1	\$24,908 per unit	\$24,908
Construction Management	1	\$49,815 per unit	\$49,815
TOTAL ELEVATION COSTS			\$559,673

Attachment C HGMP-4024-710-020 Project Milestone Table

ACTIVITY	DAYS TO COMPLETE
(For example: Demolition of 6 structures and removal of debris)	90 days
Grant Award and Agreement	60 days
Meet with Homeowners	30 days
Perform Surveying/Designs	120 days
Prepare Bid Documents	90 days
VDEM/FEMA Review of Designs	60 days
Advertise Elevation	90 days
Ayyard Contract	60 days
Notice to Proceed	60 days
Elevation of 4 Homes	120 days
Closeout, Inspections, and Paperwork	30 days
TOTAL DAYS TO COMPLETE THIS PROJECT	24 Months

Attachment D Administrative Requirements and Guidance

Federal Administration and Guidance Documents:

OMB Circular A-133 AUDITS OF STATES, LOCAL GOVERNMENTS, AND NON-PROFIT ORGANIZATIONS

44 CFR 13 UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

44 CFR Part 201 MITIGATION PLANNING [FMA, PDM and HMGP planning projects only]

44 CFR Part 206 - Subpart N - HAZARD MITIGATION GRANT PROGRAM

CATEX documentation (where required)

Structural Mitigation Project Requirements (where required)